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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on ~~3~~ 4/2/07
2a) ☒ This action is **FINAL.** 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-26* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-26* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to the arguments filed on 04/02/2007.

2. Claims 1-26 are pending in the application.

3. Claims 1-26 have been rejected.

Response to Amendment

5.   The examiner approves the amendments made to claim 1, 6, 10, 11, 22, and 25.

Response to Arguments

7.   Applicant's arguments with respect to claims 1-26 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

7.   Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoichiro

Sako hereafter Sako (US patent application 20020106192).

8.   As per claim 1, Sako discloses a method encoding a media stream into a digital

content format representing that media stream; encrypting a portion of that digital

content, less than the entire digital content format representing that media stream, the

portion of the digital content that is encrypted being required for presentation of the

media stream (paragraphs, 0011); and not encrypting a portion of that digital content,

less than the entire digital content format representing that media stream, the portion of

the digital content that is not encrypted being required for locating or seeking to a

selected position in the media stream represented by the digital content (paragraphs,

0034); wherein the encrypted version of that digital content is substantially unchanged

in formatting parameters from an unencrypted version of that digital content

(paragraphs, 0054-0055).

8.   As per claim 2-3, Sako discloses a method wherein said steps of encoding

provide an MPEG encoding of at least some video data, and wherein said steps of

encrypting include steps of encrypting at least some audio or video data using a block-

substitution cipher (paragraphs, 0011).

8.   As per claim 4, Sako discloses a method, wherein said steps of encrypting

include steps of encrypting at least some audio or video data using a block-substitution

cipher; and refraining from encrypting at least some audio or video data using that

block-substitution cipher, wherein an amount of audio or video data not encrypted is

less than a block size for that block-substitution cipher (paragraphs, 0119-0121).

8.   As per claim 5, Sako discloses a method wherein said steps of encrypting

include steps of identifying at least a first set of data and a second set of data in the

digital format; and separately encrypting the first set of data and the second set of data;

whereby the first set of data can be made available to a first set of users and the second

set of data can be made available to a second set of users, the first set of users being

distinguishable from the second set of users (paragraphs, 0119-0121).

8.   As per claim 6, Sako discloses a method wherein said steps of encrypting

include steps of refraining from encrypting formatting information (paragraphs, 0011).

8.   As per claim 7, Sako discloses a method wherein the digital content format

includes at least some audio or video data; and at least some formatting information

(paragraphs, 0119-0121).

8.   As per claim 8, Sako discloses a method wherein the digital content format

representing that media stream includes a set of layers, each relatively higher-level

layer representing an abstraction for which each relatively lower-level layer represents

an implementation thereof; a first set of relatively higher-level layers represent audio or

video information for the media stream, while a second set of relatively lower-level

layers represent techniques by which that information is formatted or supplemented;

and the step of encrypting is applied only to that portion of the digital content

representing audio and video information (paragraphs, 0126-0128).

8.   As per claim 9, Sako discloses a method wherein the digital content format

representing that media stream includes a set of layers, each relatively higher-level

layer representing an abstraction for which each relatively lower-level layer represents

an implementation thereof; a first set of relatively higher-level layers represent audio or

video information for the media stream, while a second set of relatively lower-level

layers represent techniques by which that information is broken into packets, indexed,

multiplexed, or supplemented with metadata; and the step of encrypting is applied only

to that portion of the digital content representing audio and video information

(paragraphs, 0119-0121).

8.   As per claim 10, Sako discloses a method wherein the digital content format

representing that media stream includes a set of layers, each relatively higher-level

layer representing an abstraction for which each relatively lower-level layer represents

an implementation thereof; a first set of relatively higher-level layers represent audio

and video information for the media stream, while a second set of relatively lower-level

layers represent techniques by which that information is broken into packets, indexed,

multiplexed, or supplemented with metadata; and the step of encrypting is not applied to

that portion of the digital content representing other than audio and video information

(paragraphs, 0119-0121).

8.   As per claim 11-14, Sako discloses a method wherein the media stream includes

at least one of: a-movie, an illustration, a database, including steps of selecting that

portion of the digital content for encryption so there is no substantial change in

distribution of that digital content, wherein said steps of selecting include ensuring there

is no substantial change in packetization of a set of digital data in that digital content,

wherein said steps of selecting include ensuring there is no substantial change in

synchronization of audio with video portions of the media stream (paragraphs, 0054-

0055).

8.   As per claim 15, Sako discloses a method wherein said steps of selecting include

ensuring there is no substantial change in length of at least some identifiable audio or

video data in that digital content (paragraphs, 0011).

8.   As per claim 16, Sako discloses apparatus including an input port capable of

being coupled to a communication link, the communication link being capable of

carrying digital content, the digital content including at least some presentable

information and at least some formatting information (paragraphs, 0011); a digital

content decoder, the decoder being capable of identifying the presentable information in

response to the formatting information (paragraphs, 0034); a digital content decryptor,

the decryptor being capable of decrypting the presentable information in response to a

key; wherein the decryptor is protected by a relatively-higher degree of security than the

decoder (paragraphs, 0054-0055).

8.   As per claim 17-19, Sako discloses apparatus wherein the communication link

includes at least one of: a computer network capable of carrying digital content; a

reader capable of retrieving information in response to physical media, the physical

media being capable of carrying digital content, wherein the decoder includes an MPEG

decoder, and wherein the decoder is included in a first selected set of hardware or soft\-

ware, the first selected set being trusted; and the decryptor and the key are included in

a second selected set of hardware or software, the second selected set being relatively

more trusted than the first selected set (paragraphs, 0034).

8.   As per claim 20-21, Sako discloses apparatus wherein the decoder is responsive

to the formatting information to present at least some metadata about one or more

media streams without the decoder having access to the presentation information, wherein the decoder is responsive to the formatting information to provide at least one of the following functions without the decoder having access to the presentation information: known playback functions known for media streams; navigation within the digital content; content selection within the digital content; or manipulation of the presentation (paragraphs, 0119-0121).

8.   As per claim 22-24, Sako discloses apparatus wherein the digital content represents a media stream including at least one of Apparatus as in claim 16, wherein the relatively-higher degree of security includes tamper-resistant hardware operating under control of verified software.

24. (Original) Apparatus as in claim 16, wherein the digital content represents a first media stream and a second media stream, the decoder being responsive to the formatting information and the decryptor being responsive to a selected key, the selected key providing differential access to selected users to the first media stream and the second media stream (paragraphs, 0054-0055).

8.   As per claim 25, Sako discloses apparatus wherein the first media stream includes audio information and the second media stream includes video information; the first media stream includes information in a first natural language and the second media stream includes information in a second natural language the first media stream includes presentation information targeted at a first type of audience and the second media stream includes information targeted at a first type of audience (paragraphs, 0119-0121).

8.   As per claim 26, Sako discloses a method, including steps of encoding a media

stream into a digital content format representing that media stream, that digital content

format having a set of information nodes, those information nodes being disposed in at

least a partial ordering; encrypting a portion of that digital content (paragraphs, 0011),

the portion being encrypted less than the entire digital content format representing that

media stream, the portion of the digital content that is encrypted being required for

presentation of the media stream (paragraphs, 0034); wherein the unencrypted portion

of that digital content is substantially closed in a direction under that partial ordering,

whereby it is possible to decode the unencrypted portion of that digital content without

having to de-crypt it (paragraphs, 0054-0055).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the .

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad w. Reza whose telephone number is 571-272-6590. The examiner can normally be reached on M-F (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **MOAZZAMI NASSER G** can be reached on **(571)272-4195.** The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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6/23/07